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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

MATT MATIC, an individual and California
Resident and ZAK HARRIS, an individual
and Florida Resident,

Plaintiffs,

v.

GOOGLE, INC. and ALPHABET, INC.,

Defendants.

CASE NO.: 5:18-cv-06164-EJD

**JOINT STIPULATION TO
CONSOLIDATE CASES AND
~~[PROPOSED]~~ ORDER**

Judge: Hon. Edward J. Davila
Date Filed: October 8, 2018
Lead Counsel Hearing: March 23, 2019
Trial Date: None set

CHARLES OLSON, an individual and
Colorado Resident, and EILEEN M.
PINKOWSKI, an individual and Colorado
Resident

Plaintiffs,

v.

GOOGLE, INC. and ALPHABET, INC.,

Defendants.

CASE NO.: 5:18-cv-06365-EJD

Judge: Hon. Edward J. Davila
Date Filed: October 17, 2018
Lead Counsel Hearing: March 23, 2019
Trial Date: None set

Pursuant to Civil Local Rule 7-12, the undersigned parties, by and through their respective counsel, hereby stipulate as follows:

WHEREAS plaintiffs Matt Matic and Zak Harris filed suit against Google LLC and Alphabet, Inc. in Case No. 5:18-cv-06164-EJD (the “*Matic*” action);

WHEREAS plaintiffs Charles Olson and Eileen M. Pinkowski filed suit against Google LLC and Alphabet, Inc. in Case No. 5:18-cv-06365-~~NMC~~^{EJD} (the “*Olson*” action);

WHEREAS all parties agree that these two actions meet the standard for consolidation as set forth in Federal Rule of Civil Procedure 42(a) as they contain common questions of law and fact. The parties further agree that consolidation of these actions will promote efficiency and avoid the possibility of inconsistent judgments;

WHEREAS the plaintiffs further agree that appointment of Interim Class Counsel under Federal Rule of Civil Procedure 23(g) will promote efficiency in this litigation, and plaintiffs’ counsel in *Matic* and *Olson* filed such a motion on December 19, 2018, (Doc. No. 27), which Defendants did not oppose. (Doc. No. 29);

NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the undersigned parties, through their respective counsel and subject to the Court’s approval that *Matic* and *Olson* shall be consolidated into a single action for all purposes under Federal Rule of Civil Procedure 42(a), with all further filings to be made in Case No. 5:18-cv-06164-EJD, which shall bear the following caption: *In re Google Plus Profile Litigation*, and the *Olson* case shall be administratively closed;

FURTHER, a single Consolidated Complaint shall be filed within 28 days following the Court’s order consolidating *Matic* and *Olson* into *In re Google Plus Profile Litigation*;

FURTHER, the parties agree that the filing of the Consolidated Complaint obviates the need for any defendants to respond to any currently pending complaints, and therefore any deadlines to respond to those complaints are vacated and the following consolidated schedule shall be entered:

- 1 • the deadline to file a motion to dismiss the Consolidated Complaint shall be 35 days
- 2 after the Consolidated Complaint is filed;
- 3 • the deadline to file any opposition to a motion to dismiss shall be 35 days after a motion
- 4 to dismiss is filed;
- 5 • the deadline to file any reply in support of a motion to dismiss shall be 21 days after an
- 6 opposition is filed;

7 FINALLY, any currently scheduled matters in *Matic* and *Olson* and any related deadlines
8 (e.g. deadlines under Federal Rules 16 and 26) are VACATED and the Court will issue a new
9 scheduling order following the filing of the Consolidated Complaint.

1 Dated: January 8, 2019

Respectfully submitted,

2 MORGAN & MORGAN COMPLEX
3 LITIGATION GROUP

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CIVIL L.R. 5-1(i)(3) ATTESTATION

I, John A. Yanchunis, am the ECF user whose ID and password are being used to file this
JOINT STIPULATION TO CONSOLIDATE. In compliance with Civil Local Rule 5-1(i)(3), I
hereby attest that the other signatories have concurred in this filing.

Dated: January 8, 2019

By: John A. Yanchunis

~~[PROPOSED]~~ ORDER

Pursuant to stipulation, and good cause appearing, IT IS ORDERED:

The cases *Matic, et al. v. Google, LLC, et al*, No. 5:18-cv-06164-EJD and *Olson, et al. v. Google, LLC, et al.*, No. 5:18-cv-06365-EJD, are hereby CONSOLIDATED;


IT IS FURTHER ORDERED that Plaintiffs shall file their Consolidated Complaint within 28 days of this Order;

IT IS FURTHER ORDERED that Defendants shall file their Motion to Dismiss (or other responsive pleadings) to Plaintiffs' Consolidated Complaint within 35 days of Plaintiffs filing the Consolidated Complaint;

IT IS FURTHER ORDERED that Plaintiffs shall file their response to Defendants' Motion to Dismiss (or other responsive pleadings, if necessary), within 35 days of Defendants filing of same;

IT IS FURTHER ORDERED that Defendants shall reply to Plaintiffs' response to Defendants' Motion to Dismiss (or other responsive pleadings, if necessary), within 21 days after that opposition is filed; and

IT IS FURTHER ORDERED that any currently-scheduled matters are VACATED, ~~and the Court will issue a new scheduling order following the filing of Plaintiffs' Consolidated Complaint.~~ The case management conference scheduled for January 31, 2019 is continued to April 4, 2019 at 10:00 a.m. The parties' joint case management statement must be filed no later than March 25, 2019.


Hon. Edward J. Davila
U.S. District Judge